

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF FEBRUARY 26, 2010

(Published March 6, 2010, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

February 26, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 2/26/2010.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session held February 12, 2010. Seconded.

Adopted upon a voice vote 2/26/2010.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 2/26/2010.

## PETITIONS AND COMMUNICATIONS

### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274072)

Land Sale: Alliance Housing Incorporated (2519 Fremont Ave N).

Title Registration: 4900 Hiawatha Ave.

2009 Affordable Housing Trust Fund & Non-Profit Development Assistance Fund Recommendations.

### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274073)

Environmental Remediation Grants: Acceptance of awards by MN Department of Employment & Economic Development, Metropolitan Tax Base Revitalization Account & Hennepin County Environmental Response Fund.

2009 Metropolitan Council Livable Communities Demonstration Account Grants: Re Gateway Lofts & Capri Block projects.

Dudley Riggs (1426 Washington Ave S): Approve buy out of forgivable loan.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (274074)

Webber-Camden NRP Phase II Neighborhood Action Plan.

**ELECTIONS (See Rep):**

**ELECTIONS DEPARTMENT (274075)**

Ranked Choice Voting (RCV): St. Cloud State University Survey on 2009 Municipal Election.

Charter Commission Redistricting Task Force: Request for staff assistance.

**PUBLIC SAFETY AND HEALTH (See Rep):**

**HEALTH AND FAMILY SUPPORT SERVICES (274076)**

Public Health Advisory Committee: Approve appointments of Sean Cahill and Robin Schow.

Senior Citizen Advisory Committee: Approve appointments and reappointments of Rita Deyo; Dorothy Robinson; Frank Broderick; Allen Brookins-Brown; Rosemarie Gilbert; Fay Harrison; Helen Holseth; Joanna Lees; Charles Rosensteel; Jean Greener; Jeanne Hanson; Marci Holley-Bartlett; Dr. Lawrence Kerzner; Georgia Marinkov-Omorean; James Adams.

Minneapolis Advisory Committee on People with Disabilities: Approve reappointments of Rachel Dykoski; Michael Foster; Loretta Grewe; Margot Imdieke Cross; Frank Morisano; Lee Perish; Kenneth Rodgers.

**PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):**

**FIRE DEPARTMENT (274077)**

Assistance to Firefighter Grant: Accept \$96,288 grant from United States Department of Homeland Security to replace two Self Contained Breathing Apparatus filling air compressor systems.

**REGULATORY SERVICES (274078)**

Urban Area Security Initiative: Accept \$1,484,658 Homeland Security and Emergency Management Grant from Minnesota Department of Public Safety to enhance Twin Cities regional preparedness by strengthening local response capabilities through planning, operations, equipment, training and exercises; and Approve appropriation.

**REGULATORY, ENERGY AND ENVIRONMENT (See Rep):**

**LICENSES AND CONSUMER SERVICES (274079)**

Licenses: Applications.

**LICENSES AND CONSUMER SERVICES (274080)**

Stadium Pizza (207 Washington Av N): Application for On-Sale Wine Class E with Strong Beer License; and State issued 2:00 a.m. permit.

Cedar Cafe (419 Cedar Av): Approve Business License Operating Conditions relating to Restaurant License.

Savoy Uptown (2329 Hennepin Av): Approve Business License Operating Conditions relating to Sidewalk Cafe License.

Cedar Oil Winner (3333 Cedar Av): Approve Business License Operating Conditions relating to Grocery License.

**REGULATORY SERVICES (274081)**

Arsenic Testing: Ordinance granting the City the authority to recommend revocation of a rental license upon refusal by a licensee to cooperate with the State EPA contamination cleanup order on a residential rental lot.

Property at 3121 Columbus Av: Rescind Council Action passed July 31, 2009 ordering demolition; and Execute rehabilitation agreement with property owner.

**REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):**

**REGULATORY SERVICES (274082)**

Lead Hazard Reduction: Amend contract with Minnesota Remodeling and Restoration to increase the amount from \$800,000 to \$1,600,000 and extend the contract period to December 12, 2010 to perform services in Phillips East, Phillips West, Midtown Phillips, Central and Powderhorn Neighborhoods.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

**PUBLIC WORKS AND ENGINEERING (274083)**

Architect Services for Peavey Plaza: Request for Qualifications (RFQ).

Cedar Lake Parkway Railroad Safety Project: Agreement with State of Minnesota and Twin City and Western Railroad Company.

Special Assessment Deferments: a) 3921 28th Ave S; and b) 1840 26th St E.

Bryn Mawr Area Resurfacing Project No 5206: Project designation.

35W Bridge Detour Routes Resurfacing Project No 9889: Project designation.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**PUBLIC WORKS AND ENGINEERING (274084)**

Hiawatha Maintenance Facility: Contract amendment with Knutson Construction Services, Inc.

South Transfer Station: Agreement with Waste Management, Inc.

Sidewalk Contracts: Increase contracts with Standard Sidewalk, Inc and Concrete Idea, Inc.

Heritage Park: Increase appropriations and extend contract with SRF Consulting Group, Inc.

Downtown Wayfinding Implementation: Contract amendment with Downtown Council.

Bids: a) OP 7210, Accept low bid of Thomas and Sons Construction, Inc, for construction of 13th St Pedestrian Gateway; and b) OP 7250, Accept low bid of Killmer Electric Company, Inc, for stand-by generator installation.

**WAYS AND MEANS BUDGET:**

**FINANCE DEPARTMENT (274085)**

2009 Financial Statement Audit: Establish communication with State Auditor and governance body.

**POLICE DEPARTMENT (274086)**

2009 and 2010 Budget Status Report.

**WAYS AND MEANS BUDGET (See Rep):**

**BUSINESS INFORMATION SERVICES (BIS) (274087)**

Computer Aided Dispatch: Amend contract with Unisys for additional change order requests.

USI Wireless: Amend contract to discontinue use of the GeoMax communication circuits.

**CITY CLERK (274088)**

2010 Board of Equalization: Resolution establishing board and appointed members.

**FINANCE DEPARTMENT (274089)**

Capital Long-Range Improvement Committee (CLIC) Appointments.

2011-2015 Capital Process & Capital Long-Range Improvements Committee (CLIC): 2010 Schedule; 2010 Capital Guidelines; and Provision of tax supported resource direction.

**HUMAN RESOURCES (274090)**

Medical Insurance: Extend contract with Medica for additional year.

New Appointed Position: Director of Internal Audit.

**MAYOR (274091)**

City Assessor: Concur with Mayor's nomination to reappoint Patrick Todd for a two (2) year term beginning January 4, 2010.

City Attorney: Concur with Mayor's nomination to reappoint Susan Segal for a two (2) year term beginning January 4, 2010; and public hearing materials.

City Coordinator: Concur with Mayor's nomination to reappoint Steven Bosacker for a two (2) year term beginning January 4, 2010.

MINNEAPOLIS CONVENTION CENTER AND PROCUREMENT (274092)

OP #7233: Accept low bid of Siemens Industry, Inc. to provide fire alarm testing and preventative maintenance.

Snow Removal: Amend contract with Minnesota One.

REGULATORY SERVICES (274093)

Parking Ramp Rental: Authorize rental of parking ramp spaces for downtown staff at the Gateway.

**ZONING AND PLANNING (See Rep):**

PLANNING COMMISSION/DEPARTMENT (274094)

Rezoning: IB Property Holdings, LLC ( 2908-16th Ave S).

Zoning Code Text Amendment: Ordn amending Title 20, Chapter 525 re adjusting compensation of City Planning Commission & Board of Adjustment members.

**FILED:**

AEON (274096)

Vacate drainage and utility easements through middle of property of 1625 Park Ave.

EXECUTIVE COMMITTEE (274095)

Mayor's nomination of Tim Dolan for Chief of Police: Writ of Mandamus.

*The following reports were signed by Mayor Rybak on March 3, 2010, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

**REPORTS OF STANDING COMMITTEES**

**The COMMITTEE OF THE WHOLE submitted the following report:**

**Comm of the Whole** - Your Committee recommends that the City of Minneapolis 2010 Legislative Agenda, adopted 12/4/2009, be amended to add language to the "Environment" section as a support item to read as follows:

**Energy Efficiency**

- Support legislation that allows local governments to voluntarily create financial mechanisms using property tax assessments for property owners to make energy efficiency and renewable energy investments if they so choose.

Adopted 2/26/2010.

**The COMMUNITY DEVELOPMENT Committee submitted the following reports:**

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2519 Fremont Ave N to Alliance Housing Incorporated for \$4,270, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 2/26/2010.

Resolution 2010R-074, authorizing sale of land and improvements NSP1 Purchase Rehabilitation Program Disposition Parcel No PR033 at 2519 Fremont Ave N, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-074**  
**By Goodman**

**Authorizing sale of land and improvements NSP1 Purchase Rehabilitation Program Disposition Parcel No PR033 at 2519 Fremont Avenue North.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel PR033 in the NSP1 Purchase Rehabilitation Program, from Alliance Housing Incorporated, hereinafter known as the Redeveloper, the Parcel(s) PR033, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of PR033; 2519 Fremont Avenue North: Lot 3, Block 42, Highland Park Addition to the City of Minneapolis. Registered land as evidenced by Certificate of Title No. 830592; and

Whereas, the Redeveloper has offered to pay the sum of \$4,270, for Parcel PR033; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, February 5, 2010, a public hearing on the proposed sale was duly held on February 16, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the NSP1 Purchase Rehabilitation program, as amended, is hereby estimated to be the sum of \$24,200, for Parcel PR033; however, in accordance with public purpose consideration including extraordinary rehabilitative expenses, the City is selling Parcel PR033 for the sum of \$4,270.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 2/26/2010.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to sign an application for title registration for the parcel of land at 4900 Hiawatha Ave.

Adopted 2/26/2010.

Resolution 2010R-075, authorizing the City to file an application for title registration for the parcel of land at 4900 Hiawatha Ave, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-075**  
**By Goodman**

**Authorizing the City to file an application for title registration for the parcel of land at 4900 Hiawatha Avenue.**

Resolved by The City Council of The City of Minneapolis:

That the City is authorized to file an application for title registration to be signed by the Mayor and the City Clerk, pursuant to Minnesota Statutes, Chapter 508.03 (6), for the following parcel of land: 4900 Hiawatha Avenue.

Adopted 2/26/2010.

**Comm Dev** – Your Committee, having under consideration the 2009 Affordable Housing Trust Fund (AHTF) project recommendations, now recommends approval of up to \$8,148,101 in AHTF loans for the following projects, and up to \$162,000 from the Non-Profit Development Assistance Fund (Non-Profit) for the developers noted, and that the proper City officers be authorized to execute the necessary documents relative to the loans and grants:

1) A loan up to \$689,778 from the AHTF and a grant up to \$30,000 from the Non Profit for Bii Di Gain Dash Anwebi Elder Housing to be located at 2400 and 2401 Bloomington Ave S by a joint partnership of the American Indian Community Development Corporation and CommonBond Communities or an affiliated entity;

2) A loan up to \$1,117,842 from the AHTF for Clare Midtown to be located at 3105 – 23rd Ave S by Clare Housing or an affiliated entity;

3) A loan up to \$735,000 from the AHTF for Corcoran Triangle to be located at 3120 – 24th Ave S by Wellington, McNellis and Swenson or an affiliated entity;

4) A loan up to \$636,334 from the AHTF for Gateway Lofts to be located at 2601 W Broadway or an affiliated entity;

5) A loan up to \$981,743 from the AHTF for Lyndale Green to be located at 610 W 28th St by Brighton Development Corporation or an affiliated entity;

6) A loan up to \$300,000 from the AHTF and a grant up to \$8,000 from the Non Profit for PPL Foreclosure Redirection Program to be located at 3824 Chicago Ave by Project for Pride in Living or an affiliated entity;

7) A loan up to \$800,000 from the AHTF and a grant up to \$30,000 from the Non Profit for Rental Reclaim to be located at 2206 – 6th St N, 2025 Emerson Ave N, 2902 Bryant Ave N, 1815 Emerson Ave N, 3351 Park Ave S, 2634 – 14th Ave S, 3105 Columbus Ave S, 3104 Chicago Ave S, 3030 Oakland Ave S, 2616 Blaisdell Ave S, 2119 James Ave N, 2200 - 6th St N and 3129 Columbus Ave S by Urban Homeworks Inc. or an affiliated entity;

8) A loan up to \$834,602 from the AHTF for Riverview Apartments to be located at 5100 E 54th St by the Community Development Collaborative, LLC, a joint partnership of the Plymouth Church Neighborhood Foundation and CommonBond Communities or an affiliated entity;

9) A loan up to \$1,000,000 from the AHTF and a grant up to \$30,000 from the Non Profit for Touchstone Supportive Housing to be located at 2304 Snelling Ave by Project for Pride In Living or an affiliated entity;



- 10) A loan up to \$525,000 from the AHTF and a grant up to \$30,000 from the Non Profit for Whittier Cooperative located at 2609 Blaisdell Ave S by CommonBond Communities or an affiliated entity; and
- 11) A loan up to \$255,502 from the AHTF and a grant up to \$22,000 from the Non Profit for ZOOM House located at 3244 Blaisdell Ave S by Zion Originated Outreach Ministries or an affiliated entity.
- Adopted 2/26/2010.

**The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**Comm Dev & W&M/Budget** - Your Committee, having under consideration receipt of environmental remediation grant awards, now recommends, now recommends that the proper City officers be authorized to accept and appropriate grant awards, and that the proper City officers be authorized to execute grant, subrecipient and/or disbursement and related agreements for the following:

**Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program:**

1. 129 Plymouth Ave N, \$121,395
2. 2600 Minnehaha Ave S, \$303,566
3. Linden Hills, \$31,353

**Metropolitan Council Metropolitan Livable Communities Fund Tax Base Revitalization Account(TBRA):**

1. Lyndale Green, \$170,000

**Hennepin County Environmental Response Fund:**

1. 129 Plymouth, by the City of Minneapolis, \$24,292
2. 800 Third St N, by 800 Third, LLC, \$316,812
3. 2600 Minnehaha Ave S, by the City of Minneapolis, \$55,500
4. Como Student Community Co-op, by the University of Minnesota, \$429,063
5. Whittier Cooperative, by the City of Minneapolis, \$100,000

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

Adopted 2/26/2010.

**RESOLUTION 2010R-076  
By Goodman and Hodges**

**Amending the 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further as follows:

- a) Increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900320) by \$504,753 (\$145,687 for 129 Plymouth Ave N and \$359,066 for 2600 Minnehaha Ave S);
- b) Increasing the appropriation in the CPED Grants Other Fund (01600-8900220) by \$301,353 (\$31,353 for Linden Hills, \$170,000 for Lyndale Green and \$100,000 for Whittier Cooperative); and
- c) Increasing the CPED revenue budget in the Grants Other Fund (01600-8900900-321504) by \$456,314; (01600-8900900-321513) by \$170,000; and (01600-8900900-322002) by \$179,792.

Adopted 2/26/2010.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration receipt of Metropolitan Council Livable Communities Demonstration Account (LCDA) grant awards, now recommends that the proper City officers be authorized to accept and appropriate awards of \$74,000 for the Gateway Lofts and \$869,000 for the Capri Block projects, and to execute grant and sub-recipient agreements and any agreements as may be necessary to implement the LCDA grants with the Metropolitan Council and Alliance Housing (or affiliated entity).

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

Adopted 2/26/2010.

**RESOLUTION 2010R-077**  
**By Goodman and Hodges**

**Amending the 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900220) by \$943,000 (\$74,000 for Gateway Lofts; \$869,000 for Capri Block and increasing the revenue budget (01600-8900900-321513) by \$943,000.

Adopted 2/26/2010.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration satisfaction of the Dudley Riggs forgivable loan, now recommends approval of Dudley Riggs' offer of \$52,000 to buy out a 40-year forgivable loan, together with an early payoff of development loan of approximately \$24,000 for the property at 1426 Washington Ave S.

Adopted 2/26/2010.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the Webber-Camden Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

- a) Approval of said action Plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$652,678;
- b) Passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation in the NRP Fund by \$500,453 from existing fund balance;

c) Referral of \$130,536 for Plan implementation in a reserve account within the NRP Fund for future year expenditures on the approved Plan, provided that no more than \$522,142 be obligated in the first three years after approval of the Plan; and

d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/26/2010.

**RESOLUTION 2010R-078**  
**By Goodman and Hodges**

**Amending The 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development NRP Fund (01CNR-8900800) by \$500,453.

Adopted 2/26/2010.



**The ELECTIONS Committee submitted the following report:**

**Elections** - Your Committee, having received a request from the Minneapolis Charter Commission to provide staff assistance to the Charter Commission Task Force with its ongoing work with respect to the redistricting provisions in the Charter, now recommends directing the City Clerk's Office, and the City Attorney's Office, to provide staff support to the Charter Commission's Redistricting Task Force, (including but not limited to research into the history of the current Minneapolis Charter provisions concerning redistricting, redistricting procedures and processes in other jurisdictions, and the available literature on best practices for redistricting).

Your Committee further recommends requesting the Minneapolis Charter Commission along with Election staff to brief the City Council on the current redistricting process and the history leading up to it.

Adopted 2/26/2010.

**The PUBLIC SAFETY & HEALTH Committee submitted the following reports:**

**PS&H** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Alex Jackson to serve as Fire Chief for a two-year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 2/26/2010.

**PS&H** - Your Committee recommends concurrence with the recommendation of the City Council to appoint the following persons to the Public Health Advisory Committee for two-year terms to expire December 31, 2011:

Sean Cahill, Ward 7;  
Robin Schow, Ward 2.

Adopted 2/26/2010.

**PS&H** - Your Committee recommends concurrence with the recommendation of the Mayor and City Council President to appoint/reappoint the following persons to the Senior Citizen Advisory Committee for two-year terms to expire December 31, 2011:

*Appointments*

Rita Deyo, representing Ward 1  
Dorothy Robinson, representing Northside Redevelopment Agency

*Reappointments*

Frank Broderick, representing Ward 3  
Allen Brookins-Brown, representing Ward 7  
Rosemarie Gilbert, representing Ward 8  
Fay Harrison, representing Ward 5  
Helen Holseth, representing Ward 11  
Joanna Lees, representing Ward 13  
Charles Rosensteel, representing Ward 6  
Jean Greener, representing Minnesota Area Agency/Aging  
Jeanne Hanson, representing Southeast Seniors  
Marci Holley-Bartlett, representing MPHA  
Dr. Lawrence Kerzner, representing HCMC  
Georgia Marinkov-Omorean, representing Sabathani Community Center  
James Adams, Member at Large.

Adopted 2/26/2010.

**PS&H** - Your Committee recommends concurrence with the recommendation of the Mayor and City Council President to reappoint the following persons to the Minneapolis Advisory Committee on People with Disabilities for two-year terms to expire December 31, 2011:

Rachel Dykoski, Ward 6  
Michael Foster, Ward 7  
Loretta Grewe, Ward 4  
Margot Imdieke Cross, Ward 2  
Frank Morisano, Ward 7  
Lee Perish, Ward 2  
Kenneth Rodgers, Ward 3.  
Adopted 2/26/2010.

**The PUBLIC SAFETY & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**PS&H & W&M/Budget** - Your Committee, having under consideration the Urban Area Security Initiative, now recommends that the proper City officers be authorized to accept a Homeland Security and Emergency Management Grant, in the amount of \$1,484,658 from the Minnesota Department of Public Safety to enhance Twin Cities regional preparedness by strengthening local response capabilities through planning, operations, equipment, training and exercises. Further, passage of the accompanying resolution appropriating \$1,484,658 to the Department of Regulatory Services.

Adopted 2/26/2010.

**RESOLUTION 2010R-079**  
**By Samuels and Hodges**

**Amending The 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Regulatory Services Agency in the Grants – Federal Fund (01300-8352000) by \$1,484,658; and increasing the revenue estimate for the Department of Regulatory Services (01300-8352000) by \$1,484,658.

Adopted 2/26/2010.

**PS&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept a Fiscal Year 2009 Assistance to Firefighter Grant, in the amount of \$96,288, from the United States Department of Homeland Security to replace two Self Contained Breathing Apparatus filling air compressor systems. Further, passage of the accompanying resolution appropriating \$96,288 to the Fire Department.

Adopted 2/26/2010.

**RESOLUTION 2010R-080**  
**By Samuels and Hodges**

**Amending The 2010 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants – Federal Fund (01300-2800700) by \$96,288; and increasing the Revenue Source (01300-2800700-321002) by \$96,288.

Adopted 2/26/2010.

**The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:**

**RE&E** - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, granting the City the authority to recommend revocation of a rental license upon refusal by a licensee to cooperate with the State Environmental Protection Agency contamination cleanup order on a residential rental lot, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 2/26/2010.

Ordinance 2010-Or-006 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.275 to grant the City the authority to recommend revocation of a rental license upon refusal by a licensee to cooperate with the State Environmental Protection Agency contamination cleanup order on a residential rental lot, was adopted 2/26/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2010-Or-006**

**By Schiff**

**Intro & 1st Reading: 1/29/2010**

**Ref to: RE&E**

**2nd Reading: 2/26/2010**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 244.275 of the above-entitled ordinance be amended to read as follows:

**244.275. Tenant to be notified of arsenic testing, removal and remediation in South Minneapolis Neighborhood Soil Contamination Site.** (a) For the purpose of this section, the "South Minneapolis Neighborhood Soil Contamination Site" shall mean the area of South Minneapolis that has been or shall in the future be designated by the United States Environmental Protection Agency for testing, removal and/or remediation of arsenic contamination from residential properties.

(b) Any person allowing to be occupied or letting or offering to let to another for occupancy any dwelling unit located in the South Minneapolis Neighborhood Soil Contamination Site area shall provide to the tenant or lessee copies of all written or electronic information received from the United States Environmental Protection Agency (USEPA) or its agents or contractors concerning arsenic testing results, and removal or remediation activities pertaining to the leased premises. Additionally, any such person shall facilitate, cooperate with and permit the USEPA or its agents or contractors to perform any lawful testing, cleanup, removal or remediation activities at such property as deemed reasonable and necessary by the USEPA. Violation of this section shall constitute good cause for adverse license action pursuant to section 244.1910.

(c) Information regarding environmental testing, removal and remediation required to be provided under this section shall be provided to the tenant or lessee at each of the following times:

- (1) Within thirty (30) days after the effective date of this section;
- (2) Within thirty (30) days of receiving new information from the USEPA or its agent or contractor; and
- (3) Prior to signing a lease for the premises or prior to agreement upon a tenancy, if no lease is provided.

(d) The property owner or the owner's representative shall retain an arsenic notification advisory in a format prescribed by the City of Minneapolis, stating that the property owner has complied with all notification requirements under this section, the dates of compliance, and the signature of the tenant or lessee attesting to compliance. If there is a contract or lease for the tenancy, the arsenic notification advisory must be attached thereto.

(1) The property owner shall provide a copy of the Arsenic Notification Advisory to the department of inspections upon request of the director of inspections or their designee.

(e) Within ninety (90) days of the date of the last Environmental Protection Agency cleanup in the South Minneapolis Soil Contamination Site, Environmental Services will develop a recommendation on whether to sunset or alter this section.

Adopted 2/26/2010.

**RE&E** - Your Committee, having under consideration the application of Pizza Luce Inc, dba Pizza Luce, 117 4th St N, for an On-Sale Liquor Class E with Sunday Sales License (expansion of premises) to expire April 1, 2010, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/26/2010.

Approved by Mayor Rybak 2/26/2010.

(Published 3/2/2010)

**RE&E** - Your Committee, having under consideration the application of Stadium Pizza and Diner, dba Stadium Pizza and Diner, 207 Washington Av N, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2011, and a State issued 2:00 a.m. permit, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Restaurant License held by Cedar Cafe, 419 Cedar Av.

Adopted 2/26/2010.

Resolution 2010R-081, approving Business License Operating Conditions relating to the Restaurant License held by Cedar Cafe, 419 Cedar Av, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-081**

**By Glidden**

**Approving Business License Operating Conditions relating to the Restaurant License held by Cedar Cafe, 419 Cedar Av.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Restaurant License held by Cedar Cafe, 419 Cedar Av:

1. "No Trespassing" signs, provided by the Minneapolis Police Department, shall remain posted at the business. Staff will immediately ask people who are observed loitering or engaging in illegal behavior on the premises or in the immediate vicinity of the business to leave. If the loitering or illegal activity persists, staff will call 911 and request police assistance to alleviate the activity.

2. The business shall clearly post "Customer rules of conduct" regarding such things as littering, loitering, and other unacceptable behavior. The rules shall also state that the business will enforce the posted rules.

3. The business shall submit plans and receive authorization for their existing expansion of premises intended for additional seating.

4. The door leading to the approved expanded area shall remain open and unlocked at all times during business operations. It is the responsibility of the proprietors to take the necessary steps to ensure this will occur.

5. The business agrees to clean the premises and all areas within 100 feet of the property line of litter and trash twice daily. This includes the sidewalk and street in front and the alley in the rear.

6. These conditions shall be conspicuously posted alongside the License certificate.

Adopted 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Sidewalk Cafe License held by Savoy Uptown, 2329 Hennepin Av.

Adopted 2/26/2010.

Resolution 2010R-082, approving Business License Operating Conditions relating to the Sidewalk Cafe License held by Savoy Uptown, 2329 Hennepin Av, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-082**

**By Glidden**

**Approving Business License Operating Conditions relating to the Sidewalk Cafe License held by Savoy Uptown, 2329 Hennepin Av.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Sidewalk Cafe License held by Savoy Uptown, 2329 Hennepin Av:

1. Strict compliance with all City of Minneapolis, State of Minnesota, and Federal laws.
2. The sidewalk cafe shall not remain open after 10:00 p.m. Sunday through Thursday, and after 11:00 p.m. on Friday and Saturday.
3. All outdoor furniture shall be removed or secured from use after 10:00 p.m. Sunday through Thursday, and after 11:00 p.m. on Friday and Saturday.
4. No beverage alcohol shall be allowed outdoors after 10:00 p.m. Sunday through Thursday, and after 11:00 p.m. on Friday and Saturday.

Adopted 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Grocery License held by Cedar Oil Winner, 3333 Cedar Av.

Adopted 2/26/2010.

Resolution 2010R-083, approving Business License Operating Conditions relating to the Grocery License held by Cedar Oil Winner, 3333 Cedar Av, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-083**

**By Glidden**

**Approving Business License Operating Conditions relating to the Grocery License held by Cedar Oil Winner, 3333 Cedar Av.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Grocery License held by Cedar Oil Winner, 3333 Cedar Av:

1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Grocery store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.

2. Persons asked to leave the premises after they are determined to be loitering shall be issued a letter stating they are trespassing and cannot be on the business premise for a minimum of 90 days. A tracking system shall be maintained of all persons issued trespassing notices as well as their photo.

3. The business shall not sell single cigarettes.

4. The business agrees not to sell the following items:

a) Any pipes used as a smoking implement.

b) Scrubbing pads that do not contain cleaning products.

c) Small zip lock bags.

5. The business agrees that they will not supply matches to non-tobacco customers.

6. The business agrees that all interior and exterior lights will be kept illuminated and in compliance with Minneapolis Code of Ordinances 259.250 (8).

7. The business agrees that windows will be kept free of signs.

8. The business agrees to maintain three exterior surveillance cameras to monitor the exterior for activity on the business property. The interior surveillance camera shall be maintained in compliance with Minneapolis Code of Ordinances 259.230.

9. All temporary advertising banners and signs shall be in compliance with all zoning ordinances.

10. The business shall comply with Minneapolis Ordinance 250.125 and remove litter and debris and keep the dumpster area clean.

11. Zoning hours of operation shall be strictly maintained. Current hours of operation are Sunday through Thursday 6:00 a.m. to 10:00 p.m. and Friday and Saturday 6:00 a.m. to 11:00 p.m.

12. The business agrees that there will be no exterior pay phones.

Adopted 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Gordon moved to divide the resolution so as to consider separately that portion relating to the application submitted by Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License. Seconded.

Adopted by unanimous consent.

Gordon moved that the separated portion of the resolution be postponed to the March 12th Meeting. Seconded.

Adopted upon a voice vote.

The balance of the report was adopted 2/26/2010.

Resolution 2010R-084, granting applications for Liquor, Wine and Beer Licenses, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-084**

**By Glidden**

**Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274079):

**On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2010**

Joes Garage Inc, dba Joes Garage, 1610 Harmon Pl (license upgrade)



**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2010**

Hell's Kitchen Inc, dba Hell's Kitchen, 80 S 9th St (license upgrade)

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2010**

Zuhrah Shrine Temple, dba Zuhrah Shrine Temple, 2540 Park Av (new manager)

**On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2010**

Kieran's Irish Pub First Avenue LLC, dba Kieran's Irish Pub First Avenue, 600 Hennepin Av #170  
(new business)

**Liquor Catering Services**

Phoenix Catering Inc, dba Joseph Catering, 336 Hoover St NE (new business).

Adopted 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 2/26/2010.

Approved by Mayor Rybak 2/26/2010.

(Published 3/2/2010)

Resolution 2010R-085, granting applications for Business Licenses, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-085**

**By Glidden**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of February 26, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274079):

Dry Cleaner - Non-Flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Confectionery; Milk & Grocery Delivery Vehicle; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Gasfitter Class A; Gasoline Filling Station; Horse and Carriage; Hotel/Motel; Liquid Waste Hauler; Motor Vehicle Repair Garage; Commercial Parking Lot Class A; Plumber; Precious Metal Dealer; Rental Halls; Residential Specialty Contractor; Secondhand Goods Class B; Sign Hanger; Solicitor - Company; Steam & Hot Water Systems Installer; Suntanning Facility; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Medical Contract Carrier; Theatre Zone I; Combined Trades; Tree Servicing.

Adopted 2/26/2010.

Approved by Mayor Rybak 2/26/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 2/26/2010.

Resolution 2010R-086, granting applications for Gambling Licenses, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-086**

**By Glidden**

**Granting applications for Gambling Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances  
(Petr No 274079):

**Gambling Class B**

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 3327 Hennepin Av (Good Sports Bar & Grill, 200 W Broadway, pulltabs, paddlewheel, bar bingo)

**Gambling Exempt**

Carondelet Catholic School, dba Carondelet Catholic School, 3210 W 51st St (Raffle February 20, 2010, St. Thomas Apostle Gym, 2900 W 44th St)

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (Raffle March 13, 2010)

Commonbond Communities, dba Commonbond Communities, 328 W Kellogg Blvd, St. Paul (Raffle April 9, 2010, The Depot, 225 3rd Av)

Minnesota Association for College Admission Counseling, dba Minnesota Association for College Admission Counseling, 1501 Hennepin Av (Raffle May 18, 2010, Minneapolis Marriott - City Center).

Ducks Unlimited at the University of Minnesota, dba Ducks Unlimited at the University of Minnesota, 9807 Rosemill Circle, Champlin (Raffle March 6, 2010, Coffman Memorial Union, 300 Washington Av SE)

The Minnesota Hundred Club, dba The Minnesota Hundred Club, 3030 Centre Point Dr, Roseville (Raffle April 22 & 23, 1020, Jax Cafe, 1928 University Av NE)

Church of Our Lady of Peace, dba Church of Our Lady of Peace, 5426 12th Av S (Raffle April 24, 2010)

Minnpost.Com, dba Minnpost.Com, 900 6th Av SE #220 (Raffle April 26, 2010, Pantages Theatre, 805 Hennepin Av)

Thrivent Financial for Lutherans, dba Thrivent Financial for Lutherans, 625 4th Av S (Raffle May 28, 2010).

Adopted 2/26/2010.

**RE&E** - Your Committee, having under consideration the property located at 3121 Columbus Av, which has been determined by the Inspections Division to constitute a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and the City Council on July 31, 2009 having ordered demolition of the property; now recommends that said Council action be rescinded, and that the proper City officers be authorized to execute a restoration agreement with the owner to rehabilitate the property.

Adopted 2/26/2010.

**The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:**

**RE&E & W&M/Budget** - Your Committee, having been awarded a grant to perform lead hazard reduction in dwelling units occupied by children in the Phillips East, Phillips West, Midtown Phillips, Central and Powderhorn Neighborhoods, now recommends that the proper City officers be authorized to amend the contract with Minnesota Remodeling and Restoration, Inc, to increase the amount from \$800,000 to \$1,600,000 and extend the contract period to December 12, 2010, to continue providing lead hazard reduction services until a new bid process is complete.

Adopted 2/26/2010.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:**

**T&PW** - Your Committee recommends that the proper city officers be authorized to issue a Request for Qualifications (RFQ) for landscape architect services for the revitalization of Peavey Plaza, as set forth in Petn No 274083.

Schiff moved to amend the petition to include in the Request for Qualifications for landscape architect services an additional point under City Goals for Selection Process to read as follows:

"The selected landscape architect will demonstrate experience with historic resources, treatment of cultural resources, and the Secretary of the Interior's standards for historic resources". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 2/26/2010.

**T&PW** - Your Committee, having under consideration the Railroad Grade Crossing Safety Program, now recommends that the proper City officers be authorized to execute Agreement No 92319 [MN Project RRS 2710(023)] with the Commissioner of Transportation, State of Minnesota, and the Twin City and Western Railroad Company for the installation of a railroad signal system on Cedar Lake Pkwy (referred to in Mn/DOT Agreement as Cedar Lake Boulevard) at Burnham Road. No additional appropriation required.

Adopted 2/26/2010.

**T&PW** - Your Committee, having under consideration special assessment deferment applications submitted by:

a) Gail M. Harbeck (Disabled Citizen) to defer the special assessment (Levy 01026, Project 4330C) for street reconstruction in the original principal amount of \$4,124.48, and a remaining principal balance of \$3,505.82 for payable 2010 and subsequent years, on the property at 3921 28th Ave S, PID 12-028-24-11-0009, legal description: The South 78 ft of the West 1/2 of Lot 7, except alley, "Altruria"; and

b) Barbara Marston (Senior Citizen) to defer the special assessment (Levy 01028, Project 10WTR) for water service line repair in the principal amount of \$4,180 for payable 2010 and subsequent years, on the property at 1840 26th St E, PID 36-029-24-23-0036, legal description: Lot 21, Auditor's Subdivision No 16 Hennepin County, Minn. now recommends that the applications be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195 and Council Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted 2/26/2010.

**T&PW** - Your Committee, having under consideration the Bryn Mawr Area Street Resurfacing Project, Special Improvement of Existing Street No 5206, now recommends passage of the accompanying resolution designating the locations and streets to be improved in the project.

Adopted 2/26/2010.

Resolution 2010R-087, designating the improvement of certain existing streets in the Bryn Mawr Area Street Resurfacing Project, Special Improvement of Existing Street No 5206, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-087**

**By Colvin Roy**

**2010 STREET RESURFACING PROGRAM  
BRYN MAWR AREA STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET No 5206**

**Designating the improvement of certain existing streets in the 2010 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed.

**Bryn Mawr Area (5206)**

2nd Ave N from Xerxes Ave N to its terminus east of Vincent Ave N;  
Chestnut Ave W from Xerxes Ave N to Penn Ave S;  
Hawthorne Ave W from west of Upton Ave S to Cedar Lake Rd;  
Laurel Ave W from west of Upton Ave S to Penn Ave S;  
Laurel Ave from Cedar Lake Rd to Morgan Ave S;  
Mount View Ave from west of Upton Ave S to Thomas Ave S;  
Mount View Ave from its cul-de-sac at I-394 to Oliver Ave S;  
South Cedar Lake Rd from N Wayzata Blvd to Penn Ave S;  
Xerxes Ave, Washburn Ave and Vincent Ave N from Glenwood Ave to south of Chestnut Ave W;  
Upton Ave S, Thomas Ave S, Russell Ave S, Queen Ave S and Oliver Ave S from Chestnut Ave W to N Wayzata Blvd/I-394;  
Sheridan Ave S from south of Chestnut Ave W to South Cedar Lake Rd;  
Newton Ave S from south of Chestnut Ave W to Oliver Ave S; and  
Morgan Ave S from South Cedar Lake Rd to Oliver Ave S.  
Adopted 2/26/2010.

**T&PW** - Your Committee, having received a cost estimate of \$1,415,722 for street resurfacing improvements and a list of benefited properties for certain locations in the Bryn Mawr Area Street Resurfacing Project, Special Improvement of Existing Street No 5206, as designated by Resolution 2010R-087 passed February 26, 2010, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2010 Uniform Assessment Rates as per Resolution 2010R-038, passed January 29, 2010.

Your Committee further recommends that a public hearing be held on March 23, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 2/26/2010.

**T&PW** - Your Committee, having under consideration the 35W Detour Routes Resurfacing Project, Special Improvement of Existing Streets No 9889, now recommends passage of the accompanying resolution designating the locations and streets to be improved in the project.

Adopted 2/26/2010.

Resolution 2010R-088, designating the improvement of certain existing streets in the 35W Detour Routes Resurfacing Project, Special Improvement of Existing Streets No 9889, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-088**

**By Colvin Roy**

**35W DETOUR ROUTES STREET RESURFACING  
SPECIAL IMPROVEMENT OF EXISTING STREETS No 9889**

**Designating the improvement of certain existing streets at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay.

8th Ave NE from River Bridge to University Ave NE;  
Plymouth Ave N from Washington Ave N to River Bridge;  
4th Ave S from 10th St S to Washington Ave S;  
7th St S from Hennepin Ave to 5th Ave S;  
5th Ave S from 10th St S to Washington Ave S;  
18th Ave SE from Como Ave SE to East Hennepin Ave;  
10th Ave SE from 2nd St SE to 4th St SE;  
19th Ave S from Washington Ave S to 10th Ave Bridge;  
Industrial Blvd from East Hennepin Ave to City Boundary;  
3rd St S from Hennepin Ave to 11th Ave S;  
4th St NE and SE from 1st Ave NE to Central Ave SE;  
Washington Ave S from Cedar Ave to 19th Ave S;  
25th Ave S from Riverside Ave to Butler Place;  
26th Ave S from 9th St S to Franklin Ave E; and  
6th St S from Hennepin Ave to 5th Ave S.

Adopted 2/26/2010.

**T&PW** - Your Committee, having received a cost estimate of \$2,300,000 for street resurfacing improvements and a list of benefited properties for certain locations in the 35W Detour Routes Resurfacing Project, Special Improvement of Existing Streets No 9889, as designated by Resolution 2010R-088, passed February 26, 2010, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties.

Your Committee further recommends that a public hearing be held on April 20, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 2/26/2010.

**The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**T&PW & W&M/Budget** - Your Committee, having under consideration the construction of the Hiawatha Maintenance Facility, now recommends that the proper City officers be authorized to execute Change Order No 4 to Contract C-26655 with Knutson Construction Services, Inc., increasing the contract by \$240,346, for a revised contract total of \$10,845,216, to allow for construction contingencies provided as part of the original project budget.

Adopted 2/26/2010.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to negotiate and execute an agreement with Waste Management, Inc., to provide management services at the South Transfer Station on a month-to-month basis under the terms of the existing contract with a fee increase, until 60 days notice is provided to Waste Management, Inc. that the contract will end. No additional appropriation required.

Adopted 2/26/2010.

**T&PW & W&M/Budget** - Your Committee, having under consideration contracts for the construction of sidewalks, curbs, and gutters, now recommends increasing the following contracts to close-out the 2009 sidewalk construction season:

a) Increasing Contract C-26686 with Standard Sidewalk, Inc., by \$47,300, for a revised contract total of \$1,459,761; and

b) Increasing Contract C-26687 with Concrete Idea, Inc., by \$84,450, for a revised contract total of \$1,002,285.

Adopted 2/26/2010.

**T&PW & W&M/Budget** - Your Committee, having under consideration Heritage Park infrastructure work, now recommends:

a) Passage of the accompanying resolution increasing the appropriation for Heritage Park Infrastructure by \$109,404.68 to be reimbursed by revenue received from the Minneapolis Public Housing Authority (MPHA), for environmental services related to the future Heritage Park For-Sale Phases 3 and 4 housing development;

b) Passage of the accompanying resolution increasing the appropriation for Heritage Park Infrastructure Work by \$72,181.87, to be reimbursed by revenue received from Scrap Metal Processors, for contamination clean-up and excess recording fees; and

c) That the proper City officers be authorized to amend Contract Agreement No 14623, dated August 28, 1999, with SRF Consulting Group, Inc, by extending the termination date to December 31, 2012.

Adopted 2/26/2010.

**RESOLUTION 2010R-089**  
**By Colvin Roy and Hodges**

**Amending the 2010 General Appropriation Resolution.**

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for Heritage Park Infrastructure Work in the Capital Improvements Fund (04100-901970) by \$109,404.68 and increasing the revenue source (04100-901970-375504) by \$109,404.68, to be reimbursed by revenue received from the Minneapolis Public Housing Authority (MPHA).

Adopted 2/26/2010.

**RESOLUTION 2010R-090**  
**By Colvin Roy and Hodges**

**Amending the 2010 General Appropriation Resolution.**

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for Heritage Park Infrastructure Work in the Capital Improvements Fund (04100-901970) by \$72,181.87 and increasing the revenue source (04100-901970-375504) by \$72,181.87, to be reimbursed by revenue received from Scrap Metal Processors.

Adopted 2/26/2010.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract amendment with the Downtown Council for the implementation of the skyway wayfinding signing package and pedestrian-scale wayfinding kiosks at various locations in downtown Minneapolis, pending satisfactory review by the City Attorney's Office.

Adopted 2/26/2010.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

a) OP 7210, Accept low bid of Thomas and Sons Construction, Inc, in the amount of \$701,656.91, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the



construction of the 13th Street Pedestrian Gateway for the City of Minneapolis Public Works Department; and

b) OP 7250, Accept low bid of Killmer Electric Company, Inc, in the amount of \$23,720.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the Stand-by Generator Installation for the City of Minneapolis Animal Care and Control Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 2/26/2010.

**The WAYS & MEANS/BUDGET Committee submitted the following reports:**

**W&M/Budget** - Your Committee, having under consideration the Unisys Computer Aided Dispatch Contract C-22831, now recommends increasing the contract amount by \$50,000 for additional change requests to the Computer Aided Dispatch infrastructure. No additional appropriation required.

Adopted 2/26/2010.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the USI Wireless contract C-23781, to discontinue the use of the GeoMax connectivity circuits.

Adopted 2/26/2010.

**W&M/Budget** – Your Committee, having under consideration the 2010 Minneapolis Board of Equalization, now recommends the approval of the appointments of Tad Marinac, Paul Grace, Sandy Loesch, Ted Risk, Patricia Werner, John Cole, James Robb and Earl Netwal to the 2010 Minneapolis Board of Equalization for terms from April 26, 2010 through May 14, 2010. Further, passage of the accompanying resolution establishing the 2010 Minneapolis Board of Equalization, providing procedures and fixing compensation.

Adopted 2/26/2010.

Resolution 2010R-091, establishing the 2010 Minneapolis Board of Equalization, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-091**

**By Hodges**

**Establishing the 2010 Minneapolis Board of Appeal and Equalization, and providing procedures and compensation.**

Whereas, Minnesota Statutes 1975, Section 274.01 (Subdivision 2), authorizes any city, including cities whose charters provide for a board of equalization to appoint a special board of review to which it may delegate all powers and duties specified in said Section 274.01, Subdivision 1; and

Whereas the City Council pursuant to said law has passed an ordinance creating a special board of review, The Minneapolis Board of Equalization, to which the City Council, delegated all of the powers and duties specified in said Section 274.01, Subdivision 1, and has provided in said ordinance that the City Council shall by resolution provide for the number of persons to be appointed, the persons to be appointed, the amount of compensation to be paid, and the term of office;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That three (3) or more persons be appointed to the Board of Equalization.

2. That the Board be composed of one or more committees of at least three (3) persons in each committee.

3. That the Board shall hold its first meeting on April 26, 2010, at the call of the City Clerk pursuant to Minnesota Statutes 1975, Section 274.01, Subdivision 1.

4. That the Board shall hold hearings of complaints of persons feeling aggrieved by an assessment.

5. That the committees of the Board shall include at least one appraiser, one realtor or other person familiar with property valuations in the City of Minneapolis, and one freeholder of the City of Minneapolis.

6. That the Board shall complete its hearings on or before May 14, 2010 and after these hearings the board shall fix the assessment to each property considered.

7. That the City Clerk shall return the assessment rolls on May 28, 2010 to the City Council, who may confirm the same or return the same to the Board for further revisions to be again reported to the City Council.

8. That the Board shall adjourn after it has completed its function for 2010.

9. That each member shall be paid \$75 for each half-day he/she served as a member of the Board.  
Adopted 2/26/2010.

**W&M/Budget** - Your Committee recommends acceptance of the low bid received on OP #7233 from Siemens Industry, Inc., for an estimated annual expenditure of \$100,000, to provide fire alarm testing and preventative maintenance for the Minneapolis Convention Center (Petn No 274092).

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this service, all in accordance with the City's specifications.

Adopted 2/26/2010.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the current contract C-25178 with Minnesota One to increase the amount of the contract by an additional \$35,000, for snow removal at the Convention Center. No additional appropriation required.

Adopted 2/26/2010.

**W&M/Budget** - Your Committee, having under consideration the 2011 - 2015 Capital Process and Capital Long-Range Improvements Committee (CLIC) Information (Petn No 274089), now recommends that the following be received and filed:

a) 2010 CLIC Schedule with a capital budget submission deadline of noon on April 2, 2010.

b) 2010 CLIC Capital Guidelines for use in evaluating the 2011 - 2015 Capital requests.

c) Tax supported resource direction to CLIC, City departments, independent boards and commissions.

Adopted 2/26/2010.

**W&M/Budget** - Your Committee, having received recommendations from the Finance Department regarding Capital Long-Range Improvement Committee (CLIC) Appointments, now recommends passage of the accompanying resolution approving the appointments for the following three new appointees who are to filling an interim term from February 22, 2010 through December 31, 2010.

Adopted 2/26/2010.

Resolution 2010R-092, approving interim appointments to the Capital Long-Range Improvement Committee (CLIC), was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-092**

**By Hodges**

**Approving Appointments to the Capital Long-Range Improvements Committee (CLIC) for an interim term expiring December 31, 2011.**

Resolved by The City Council of The City of Minneapolis:

<b>Council Appointments</b>	<b>Council Ward #</b>	<b>Replacing</b>
Dennis Wagner	5	Jennifer Day
Victor Suarez	8	Michael Haynes
Neal Baxter	8	

Adopted 2/26/2010.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to extend the current contract with Medica to provide medical insurance through December 31, 2010.  
 Adopted 2/26/2010.  
 Approved by Mayor Rybak 3/1/2010.  
 (Published 3/2/2010)

**W&M/Budget** - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Director, Internal Audit, (grade 13 with 610 points), effective February 19, 2010, as set forth in Petn No 274090 on file in the Office of the City Clerk.  
 Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.  
 Adopted 2/26/2010.

Ordinance 2010-Or-007 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the appointed position of Director, Internal Audit, was adopted 2/26/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2010-Or-007**  
**By Hodges**  
**1st & 2nd Readings: 2/26/2010**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**  
**Effective: February 19, 2010**

						<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>
<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>PTS</b>	<b>G</b>	<b>P1</b>	<b>Start rate</b>	<b>After 1 "A" year</b>	<b>After 2 "B" years</b>	<b>After 3 "C" years</b>
E	1	Director of Internal Audit	610	13	A	\$90,124	\$94,867	\$97,713	\$99,610

Note that above schedule is in May 1, 2009 rates. This schedule is subject to change with other schedules within the Appointed Officials schedule for 2010.  
 Adopted 2/26/2010.

**W&M/Budget** – Your Committee, having under consideration the Mayor’s nomination and approval by the Executive Committee of the appointment of Patrick Todd to serve as the City Assessor, for a two (2) year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 2/26/2010.

**W&M/Budget** – Your Committee, having under consideration the Mayor’s nomination and approval by the Executive Committee of the appointment of Susan Segal to serve as the City Attorney, for a two (2) year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 2/26/2010.

**W&M/Budget** – Your Committee, having under consideration the Mayor’s nomination and approval by the Executive Committee of the appointment of Steven Bosacker to serve as the City Coordinator, for a two (2) year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 2/26/2010.

**W&M/Budget** - Your Committee, having under consideration purchase orders from Regulatory Services to rent parking ramp spaces for downtown staff in the Public Service Center and City Hall who are assigned parking (food inspectors, problem property inspectors, emergency preparedness staff, pool cars, etc.), for up to an estimated annual amount of \$95,000 at the Gateway Ramp, now recommends that said purchase orders be **sent forward without recommendation**.

Hodges moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

**W&M/Budget** - Your Committee, having under consideration purchase order from Regulatory Services to rent parking ramp spaces for downtown staff in the Public Service Center and City Hall who are assigned parking (food inspectors, problem property inspectors, emergency preparedness staff, pool cars, etc.), now recommends that said purchase order be approved for up to an estimated annual amount of \$85,000 at the Gateway Ramp.

The substitute report was adopted 2/26/2010.

**The ZONING & PLANNING Committee submitted the following reports:**

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of IB Property Holdings, LLC (BZZ-4595) to rezone the property at 2908 - 16th Ave S from R2B to the R3 District to permit conversion of the building to four units, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/26/2010.

Ordinance 2010-Or-008 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, amending Section 521.30 to rezone property at 2908-16th Ave S to the R3 District, was adopted 2/26/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2009-Or-008**  
**By Schiff**  
**1st & 2nd Reading: 2/26/2010**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 3 and the south 14 feet of Lot 2, Block 4, ALLAN and ANDERSONS Addition to Minneapolis (2908 - 16th Ave S - Plate 26) to the R3 District.

Adopted 2/26/2010.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, adjusting the compensation of City Planning Commission and Board of Adjustment members to reflect the adopted 2010 budget, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted 2/26/2010. Yeas, 12; Nays, 1 as follows:

Yeas - Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Hofstede, Schiff, Lilligren, Johnson.

Nays - Gordon.

Ordinance 2010-Or-009 amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, amending Sections 525.100 and 525.110 by adjusting the compensation of City Planning Commission and Board of Adjustment members to reflect the adopted 2010 budget, was adopted 2/26/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2010-Or-009**

**By Schiff**

**Intro & 1st Reading: 12/18/2009**

**Ref to: Z&P**

**2nd Reading: 2/26/2010**

**Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That section 525.100(e) of the above-entitled ordinance be amended to read as follows:

**525.100. City planning commission.**

(e) *Compensation of city planning commission members.* The members or the representative of a member of the city planning commission, except those who are paid by the city or any other public body or agency for attending or serving on the commission, shall be paid at the rate of ~~fifty dollars (\$50.00)~~ thirty-five (\$35.00) for each official meeting attended with a limitation of one (1) meeting per day and four (4) meetings per month.

Section 2. That section 525.110(h) of the above-entitled ordinance be amended to read as follows:

**525.110. Board of adjustment.**

(h) *Compensation of board of adjustment members.* The members of the board of adjustment shall be paid at the rate of ~~fifty dollars (\$50.00)~~ thirty-five (\$35.00) for each official meeting attended with a limitation of one (1) meeting per day and four (4) meetings per month.

Adopted 2/26/2010. Yeas, 12; Nays, 1 as follows:

Yeas - Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Hofstede, Schiff, Lilligren, Johnson.

Nays - Gordon.

**RESOLUTION**

Resolution 2010R-093, honoring Steven J. Ristuben for his 37 years of service to the City of Minneapolis, was adopted 2/26/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-093**

**By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,  
Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges**

**Honoring Steven J. Ristuben for his 37 years of service to the City of Minneapolis.**

Whereas, after 37 years with the City of Minneapolis, Steven J. Ristuben is retiring from his position as City Clerk. He will be long remembered for his contributions to the creation, preservation and conservation of the City's history including the City Hall Court House building itself; and

Whereas, Steve's proud military service with the United States Army and his experience as a teacher for St. Paul Public Schools demonstrated his early commitment to public service; and

Whereas, Steve Ristuben entered City Hall in December of 1973 during the last month of Charles Stenvig's first term to be prepared for serving in the office of newly elected Mayor Al Hofstede; and

Whereas, during Steve's time at City Hall he has served under the following Mayors: Charles Stenvig, Al Hofstede, Don Fraser, Sharon Sayles Belton and R. T. Rybak; and

Whereas, since Steve began with the City in 1973, there have been 78 Alderman and Council Members including seven Council Presidents: Richard Erdall, Louis De Mars, Alice Rainville, Sharon Sayles Belton, Jackie Cherryhomes, Paul Ostrow and Barbara Johnson; and

Whereas, during his tenure, Steve served in the Mayor's Office, Human Resources, the Budget Office and the Office of the City Clerk. Among his many major accomplishments, he created the Senior Citizen Ombudsman Office, created and staffed the Minneapolis Community Action Agency, developed and staffed the open appointments process as well as authored a number of policy and planning documents that continue to benefit the City; and

Whereas, Steve had the less than glamorous distinction in working on cutting the budget when the Budget Office could literally tell the Park Board to buy one less gross of pencils; and

Whereas, Steve's long service to the City has continued for the past 22 years in the Office of the City Clerk bringing professionalism, Olympian budgetary skills, humor, planning and problem-solving through his self titled "Division of Anticipation and Resolution." He was always dedicated to the greater good of the City and honestly gave sound advice, even when it might have been unwelcomed; and

Whereas, Steve has always displayed patience, and used that calm personal touch to listen respectfully to the public, even using private time to help individuals resolve their challenges; and

Whereas, Steve has staffed and contributed to publications about the City Hall Court House and planning for and implementing projects for its revitalization, most notably the restoration of the Council Chamber; and

Whereas, Steve has been known as one of the City's historical custodians as well as a wonderful City Hall guide, sharing the many mysterious stories with the public of ghosts in City Hall, and has helped bring in paranormal sleuths to attempt to document the existence of the notorious ghost John Moshik; and

Whereas, Steve has seen technological growth and efficiencies during his tenure with the City because he began when the pony express delivered documents written by quill pen and has served until 2010 when computers now save us time and paper, and everything is searched on the Web; and

Whereas, Steve wishes a hearty congratulations and best wishes to his successor;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we express our sincere appreciation for the years of dedicated service by Steve Ristuben, and wish him a heartfelt bon voyage into a well-deserved retirement. May he and Jo Alice, his German bride



of 32 years, spend many happy days with their sons John and David, their extended families, and enjoy travel to Laughlin, Nevada, participating in Wings and Wildlife, and to many points beyond!  
Adopted 2/26/2010.

### UNFINISHED BUSINESS

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances relating to *Zoning Code: Off-Premise Advertising Signs and Billboards*, for first reading and referral to the Zoning & Planning Committee (amending the Limited Access Roadway Opportunity Billboard District to allow additional digital interstate highway signs). Seconded.  
Adopted 2/26/2010.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to *Administration*, for first reading and referral to the Community Development Committee (adding a new Chapter 39 regarding protection of displaced workers). Seconded.  
Adopted 2/26/2010.

### NEW BUSINESS

Schiff moved to introduce the subject matter of an ordinance amending Title 3, Chapter 52 of the Minneapolis Code of Ordinances relating to Air Pollution and *Environmental Protection: Erosion and Sediment Control for Land Disturbance Activities*, for first reading and referral to the Regulatory, Energy & Environment Committee (including enforcement language to deal with drainage complaints). Seconded.  
Adopted 2/26/2010.

Lilligren moved to introduce the subject matter of the following ordinances amending the Minneapolis Code of Ordinances (relating to the establishment of City of Minneapolis Boards, Commissions, Committees, Task Forces, or similar organizations to revise term dates to match the City of Minneapolis' twice yearly appointment process; and implementing an attendance policy applicable to all City of Minneapolis Boards, Commissions, Committees, Task Forces, or similar organizations as specified in Title 2 Chapter 14, section 14.180) for first reading and referral to the Committee of the Whole:

- a) Title 2 relating to *Administration*, as follows:
  - Chapter 14 relating to *In General*;
  - Chapter 35 relating to *Capital Long Range Improvement Program Process*;
  - Chapter 36 relating to *Arts Commission*;
- b) Title 7, Chapter 141 relating to *Civil Rights: Administration and Enforcement*;
- c) Title 9, Chapter 172 relating to *Fire and Police Protection: Civilian Police Review Authority*;
- d) Title 12, Chapter 242 relating to *Housing: Appeals*;
- e) Title 17 relating to *Streets and Sidewalks*, as follows:
  - Chapter 438 relating to *Uptown Special Service District*;
  - Chapter 444 relating to *Dinkytown Special Service District*;
  - Chapter 446 relating to *Central Avenue Special Service District*;
  - Chapter 448 relating to *Nicollet Avenue South Special Service District*;
  - Chapter 450 relating to *Stadium Village Special Service District*;
  - Chapter 452 relating to *43rd Street West and Upton Avenue South Special Service District*;
  - Chapter 454 relating to *South Hennepin Avenue Special Service District*;
  - Chapter 456 relating to *Franklin Avenue East Special Service District*;
  - Chapter 457 relating to *48th Street East and Chicago Avenue South Special Service District*;

Chapter 458 relating to *Hennepin Theatre District Special Service District*,  
Chapter 460 relating to *Bloomington-Lake Special Service District*,  
Chapter 461 relating to *Chicago-Lake Special Service District*,  
Chapter 462 relating to *East Lake Street Special Service District*,  
Chapter 463 relating to *Lyndale-Lake Special Service District*,  
f) Title 20, Chapter 525 relating to Zoning Code: Administration and Enforcement;  
g) Title 23, Chapter 599 relating to Heritage Preservation: Heritage Preservation Regulations.  
Seconded.  
Adopted 2/26/2010.

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to *General Provisions: Administrative Enforcement and Hearing Process* (amending sections 2.20 and 2.50 to authorize Traffic Control Agents to issue administrative citations and clarifying the manner in which parking code citations should be issued).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to the *Traffic Code: Parking, Stopping and Standing* (adding a new section relating to Traffic Control Agent Service Fees and establishing these fees in the Director's Fee Schedule, to include an hourly traffic control agent fee and a separate overtime fee if required).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees* (including Traffic Control Agent service fees in the Director's Fee Schedule).

Lilligren moved to adjourn to Room 315 City Hall to consider the *Collins Electric v. City of Minneapolis* lawsuit. Seconded.  
Adopted upon a voice vote 2/26/2010.

Room 315 City Hall  
Minneapolis, Minnesota  
February 26, 2010 - 10:35 a.m.  
The Council met pursuant to adjournment.  
Council President Johnson in the Chair.  
Present – Council Members Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Schiff, Lilligren, President Johnson.  
Absent - Council Members Colvin Roy, Gordon, Reich, Hofstede.

Peter Ginder, Deputy City Attorney, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Collins Electric v. City of Minneapolis* lawsuit.

At 10:36 a.m., Quincy moved that the meeting be closed. Seconded.  
Adopted upon a voice vote.

Present - Colvin Roy (In at 10:38 a.m.), Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon (In at 10:39 a.m.), Reich (In at 10:38 a.m.), Hofstede (In at 10:42 a.m.), Schiff, Lilligren, Johnson.  
Also present - Mayor Rybak, Jeremy Hanson Willis, Mayor's Office; Peter Ginder, Deputy City Attorney; Susan Segal, City Attorney; Tracey Fussy, Assistant City Attorney; Tina Sanz, Assistant City Clerk, and Jackie Hanson, City Clerk's Office.

Segal summarized the *Collins Electric v. City of Minneapolis* lawsuit from 10:36 a.m. to 10:47 a.m.

At 10:47 a.m., Lilligren moved that the meeting be opened. Seconded.  
Adopted upon a voice vote.

Schiff moved that the City Attorney's Office be authorized to initiate a lawsuit against Redflex Traffic Systems, Inc., to enforce any of the City's legal or equitable rights or remedies for damages to the City arising from its contract with Redflex Traffic Systems, Inc. Seconded.  
Adopted 2/26/2010.

Lilligren moved to adjourn. Seconded.  
Adopted upon a voice vote 2/26/2010.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Steven J. Ristuben,  
City Clerk.

Unofficial Posting: 3/2/2010  
Official Posting: 3/5/2010